

**GOVERNMENT OF ANDHRAPRADESH  
ABSTRACT**

Social Welfare Department – Appeal petition filed by Sri.K.Venkateswarlu, Sr. Asst. S/o Venkataramudu, Guntakal(M), Ananthapur District against the Proceedings of the District Collector, Ananthapur District – under section 7(2) of The Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (AP Act No. 16/1993) – **Appeal Petition Disallowed** – Orders Issued.

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**SOCIAL WELFARE (CV.1) DEPARTMENT**

**G.O.MS.No.66**

**Dated:31.07.2013.  
Read the following.**

- Ref:1.Proceedings of the Collector, Anantapur, No.MC3/1108/2001, dated: 12-4-2002.
2. Appeal Petition filed by Sri. K. Venkateshwarlu, Guntakal Mandal, Anantapur District, dated; 30-01-2003.
  3. G.O.Ms.No. 89, S.W.Dept., Dated: 13-12-2010
  4. Orders of the Hon'ble High Court of Andhra Pradesh in Writ Petition No.370 of 2011, dated: 25-01-2012
  5. Govt. Memo.No.1993/CV.1/2011, S.W.Dept.,22.3.2012
  6. Govt. Memo.No.1993/CV.1/2011, S.W.Dept dt.20.4.2012, 9.5.2012, 17.5.2012, 22.6.2012, 10.07.2012, 14.08.2012, 28.09.2012 , 20.10.2012 and 20.11.2012.
  7. Govt. Letter No. 1993/CV.1/2011,S.W.Dept., dt.20.4.2012, 9.5.2012, 17.5.2012, 22.6.2012, 10.07.2012, 14.08.2012, 28.09.2012 , 20.10.2012 and 20.11.2012.
  8. Govt. Letter No. 1993/CV.1/2011,S.W.Dept., dt:28.01.2013, & 06.02.2013
  9. Govt. Memo. No.1993/CV.1/2011,S.W.Dept., dt:28.01.2013, 06.02.2013, 22.2.2013, & 22.5.2013,

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**ORDER:**

1. In the reference 2<sup>nd</sup> read above, Sri.K.Venkateswarlu, Sr.Asst., filed an appeal before the Government, against the cancellation of his Scheduled Caste 'Adi-Andhra' caste certificate by the District Collector, Ananthapur, vide reference 1<sup>st</sup> read above.
2. Government after careful examination of the grounds of the appeal and the proceedings of the District Collector, Ananthapur, have issued orders vide G.O.3<sup>rd</sup> read above to the effect that Sri K.Venkateswarlu does not belong to Scheduled Caste 'Adi-Andhra' Community.
3. In the reference 4<sup>th</sup> read above, Sri.K.Venkateswarlu, Sr. Asst. has filed WP No. 370/2011 before the Hon'ble High Court of AP., against the proceedings of the District Collector, Ananthapur and against the orders of the Government. The Hon'ble High Court while disposing the said WP passed orders on 25.01.12 as follows:-

“The Petitioner is given a full fledged opportunity to make his submissions in the appeal, including those pertaining to the service certificate issued by the Indian Railways relating to his father. The impugned order i.e., G.O. Ms No. 89 issued by the first respondent is accordingly set aside and the matter is remitted to the first respondent for fresh consideration of the appeal filed by the petitioner after giving due notice and opportunity of hearing to the petitioner. The first respondent shall dispose of the appeal within a period of six months from the date of receipt of copy of this order.”

[p.t.o...]

4. Based on the above direction of the High Court the Govt. have decided to re-hear the appeal petition of Sri K.Venkateswarlu and he was informed to attend for hearing on 09.04.2012. But the appellant has not attended for the said hearing.

5. The Appeal Petition has been posted on 7.5.2012, 14.5.2012, 18.6.2012, 2.7.2012, 6.8.2012, 3.9.2012, 29.10.2012, 5.11.2012, 7.12.2012, 7.1.2013, 4.2.2013, 25.2.2013. As the appellant was not attended for hearing on these dates, the appeal was posted finally on 22.6.2013 informing the appellant to attend the hearing with all documentary evidence/certificates in favour of his community claim. The Appellant has attended for the hearing held on 22.6.2013 and explained his community status before the appellate authority.

6. After hearing the arguments of the appellant and after going through all documentary evidences produced by the Appellant and the District Collector, Ananthapur, the following points have been observed:-

1. The petitioner during the process of enquiry before the DLSC has reported that his father Late Sri Venkataramudu who was recognized as a member of Scheduled Caste but in a statement he has deposed before the Village Administrative Officer of Thimmanacherla Village of Guntakal(M) that his Father, Mother and their family members belongs to Padmashali caste which comes under BC-B.
2. At the time of DLSC enquiry also he was given (3) times opportunity to attend but he has not turned up either for enquiry or offered his explanation and not even informed that he is not able to attend the enquiry at DLSC.
3. The DLSC, Ananthapur has taken up the enquiry duly providing the enquiry material of the MRO, Guntakal to the appellant to offer his explanation and to represent his case with valid recorded proof if any in support of his claim.
4. The DLSC findings were also supplied to the petitioner vide notice Rc No. MC3/1108/01, dated 26.3.2002 to offer his explanation. In reply to the said notice he submitted his explanation on 26.3.2002 stating that his father joined him in the school with caste entry as Adi Andhra –SC and the same was continued upto the College level.
5. As per the enquiry report of DLSC his father, mother and wife and also father of his wife other Kith and Kin of his family belongs to Padmashali community. Therefore, the DLSC have felt that the appellant does not have any material evidence in support of his claim that he belongs to SC Community.
6. Based on the said DLSC findings the District Collector, Ananthapur issued proceedings dated: 12-04-2002 canceling the SC caste certificate of Sri K.Venkateswarlu.
7. Divisional Railway Manager, South Central Railway, Guntakal, in his letter No. G/P171/CV.1 of KVR (Retd.), dated 03.09.2010 has stated that on verification of service Register of Sri K.Venkataramudu (F/o Appellant) Ex C&W Fitter Gr.I in the nationality/ caste /religion column it has been mentioned only as Hindu and same has been indicated in the original service certificate of the retired employee as Indian Hindu which was issued in his favour at the time of his retirement and also the entire text of the service Certificate has been altered / over written and tampered after issue of the service certificate to the above

retired employee and also the local enquiries revealed that the appellant belongs to Padmashali Community, which comes under BC-B group not "Adi-Andhra" SC caste.

8. In spite of giving ample opportunities (14 times re-hearing) to appear before the Government to produce documentary evidence in support of his claim that he belongs to Scheduled Caste Community, he attended for hearing on 22.06.2013 only. Even then also he failed to produce any documentary evidence before the Government in support of his community claim.

7. In the circumstances, stated supra, Govt. after careful examination and in exercise of the powers conferred u/s 7 (2) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No. 1993), hereby **disallow** the appeal petition filed by Sri.K.Venkateswarlu, Sr. Asst., against cancellation of his Scheduled Caste (Adi-Andhra) certificate by the District Collector in his proceedings Rc. MC3/1108/2001, dt:12-04-2002.

8. The District Collector, Ananthapur shall take necessary action in the matter accordingly. He is also requested to file a criminal case on the concerned for having sought for an SC certificate to which he is not eligible.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**J.RAYMOND PETER  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Collector & District Magistrate, Ananthapur (with original records)

Sri.K.Venkateswarlu, Sr. Asst.,  
S/o Venkataramudu,  
National Insurance Company Ltd.,  
Branch Office, Goshal Hospital Road,  
Adoni, Kurnool District – 518 360.

Sri Sridhar Reddy, Advocate,  
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Lakdikapool, Hyderabad-500 004

**Copy to:**

P.S. to M (SW)  
P.S. to Principal Secretary (SW)  
SF/SC.

**// Forwarded:: By Order //**

**SECTION OFFICER**

